

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

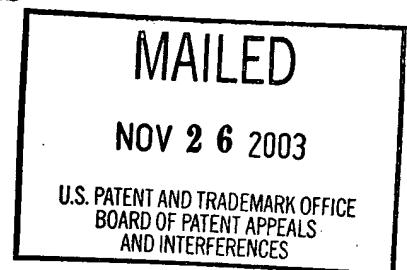
The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 38

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GREGORY S. HAMILTON,
MARK H. NORMAN and
YONG-QIAN WU



Appeal No. 2003-1015
Application 09/204,236

ON BRIEF

Before *William F. Smith and Pawlikowski Administrative Patent Judges, and McKelvey, Senior Administrative Patent Judge.*

Per Curiam.

REMAND TO THE EXAMINER

The Office of the Group Director of Technology Center 1600 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we *remand*.

If reconsideration by the examiner does not promptly result in the withdrawal of all pending rejections, the examiner must return this application to the jurisdiction of the board so that the appeal may be restored to its existing place in the order in which appeals are decided. A new appeal number will not be assigned nor will a new appeal fee be required in the event that the examiner returns this application to the jurisdiction of the board following reconsideration.

REMANDED

William F. Smith)
William F. Smith)
Administrative Patent Judge)
Administrative Patent Judge)
Beverly A. Pawlikowski) BOARD OF PATENT
Beverly A. Pawlikowski) APPEALS AND
Administrative Patent Judge) INTERFERENCES
Fred E. McKelvey)
Fred E. McKelvey)
Senior Administrative Patent Judge)

BAP/cam

Appeal No. 2003-1015
Application 09/204,236

Rouget F. Herschel
FOLEY & LARDNER
3000 K Street, N.W., Suite 500
Washington, DC 20007-5109